

September 20, 2000

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

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Seattle, Washington 98164  
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**REPORT AND DECISION ON APPEAL OF SUPPLEMENTAL NOTICE AND ORDER**

**SUBJECT:** Department of Development and Environmental Services File No. **E9901349**

**TOM BEASLEY**  
Code Enforcement Appeal

Location: Approximately 11309 – 186<sup>th</sup> Avenue SE

Appellant: **Tom Beasley**  
4415 NE 5<sup>th</sup> Street, Apt. G-304  
Renton, WA 98059

Department: Department of Development and Environmental Services,  
Code Enforcement Section, *represented by* **Sheryl Lux**  
900 Oakesdale Avenue Southwest  
Renton, Washington 98055-1219  
Telephone: (206) 205-1525 Facsimile: (206) 296-6604

**SUMMARY OF RECOMMENDATIONS:**

Department's Preliminary Recommendation:	Deny the appeal
Department's Final Recommendation:	Deny the appeal
Examiner's Decision:	Deny the appeal

**EXAMINER PROCEEDINGS:**

Hearing Opened:	September 19, 2000
Hearing Closed:	September 19, 2000

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes.  
A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

## ISSUES/TOPICS ADDRESSED:

- Code enforcement—compliance schedule

## SUMMARY:

The appeal is denied.

FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

## FINDINGS:

1. On May 15, 2000, a supplemental notice and order was issued by King County DDES to Tom Beasley, citing code violations on a 1.77 acre parcel located within the RA-5-P zone at 11300 – 186<sup>th</sup> Avenue Southeast. The property was cited for the placement of two commercial modular offices without required permits and inspections, and the parcel owner was directed to remove the modular offices from the site.
2. Tom Beasley has filed a timely appeal of the supplemental notice and order. In his appeal, Mr. Beasley did not contest the violations but sought to obtain more time to sell the buildings.
3. At the public hearing held on September 19, 2000, Mr. Beasley stated that he had been unable to sell the buildings and now intends to convert them to storage facilities accessory to a single-family residence that he plans to construct. Thus, in order for the modular structures to become legal uses on the property, Mr. Beasley will first need to obtain a building permit for the primary residential dwelling and then obtain approval from the State Department of Labor and Industries for conversion of the modular units from commercial use to accessory residential structures.
4. The Appellant and the Code Enforcement staff have agreed that a reasonable time line for resolving this violation is that Mr. Beasley shall obtain his residential building permit, the plans for which shall include the accessory storage structures, within four months and L & I approval of the use conversion within six months. There is also a Dodge van currently stored on the property that Mr. Beasley has agreed to remove within ten days.

## CONCLUSION:

1. The evidence of record is sufficient to affirm the supplemental notice and order issued in this matter on May 15, 2000.

## DECISION:

The appeal is DENIED.

## ORDER:

No penalties shall be imposed upon the Appellant's property if all of the following conditions are met within the time lines specified:

1. The Dodge van shall be removed from the property within 10 days of the date of this order.
2. Within 120 days of the date of this order, the Appellant shall file a complete application for a building permit to construct a primary residence on the property. The permit plans shall include the proposed storage structures, with their placement conditional upon their receiving approval for residential accessory use by the State Department of Labor and Industries.
3. The Appellant shall obtain State L & I approval for conversion of the two commercial modular offices to accessory residential storage use with 180 days of the date of this order.

ORDERED this 20<sup>th</sup> day of September, 2000.

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Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 20<sup>th</sup> day of September, 2000, by first class certified mailing to the following party:

Tom Beasley  
4415 NE 5<sup>th</sup> Street  
Apt G-304  
Renton, WA 98059

TRANSMITTED this 20<sup>th</sup> day of September, 2000, to the following parties and interested persons:

Tom Beasley  
4415 NE 5th Street  
Apt G-304  
Renton WA 98059

Roger Bruckshen  
DDES/BSD  
Code Enforcement Section  
MS OAK-DE-0100

Elizabeth Deraitus  
DDES/BSD  
Code Enforcement Section  
MS OAK-DE-0100

Sheryl Lux  
DDES/BSD  
Code Enforcement  
MS OAK-DE-0100

Brenda Wood  
DDES/BSD  
Code Enforcement  
OAK-DE-0100

Pursuant to Chapter 20.24, King County Code, the King County Council has directed that the Examiner make the final decision on behalf of the County regarding code enforcement appeals. The Examiner's decision shall be final and conclusive unless proceedings for review of the decision are properly commenced in Superior Court within twenty-one (21) days of issuance of the Examiner's decision. (The Land Use Petition Act defines the date on which a land use decision is issued by the Hearing Examiner as three days after a written decision is mailed.)

MINUTES OF THE SEPTEMBER 19, 2000 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E9901349 – TOM BEASLEY:

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing and representing the Department were Sheryl Lux and Brenda Wood. Participating in the hearing and representing the Appellant was Tom Beasley. There were no other participants in this hearing.

The following exhibits were offered and entered into the record:

- |                |   |
|----------------|---|
| Exhibit No. 1  | DDES staff report to the Hearing Examiner, dated September 19, 2000 |
| Exhibit No. 2  | Supplemental Notice & Order, issued May 15, 2000                    |
| Exhibit No. 3  | Statement of Appeal, received June 13, 2000                         |
| Exhibit No. 4  | October 11, 1999 letter to Tom Beasley from Jeri Breazeal/DDES      |
| Exhibit No. 5  | November 15, 1999 letter from Tom Beasley to Jeri Breazeal          |
| Exhibit No. 6  | November 30, 1999 letter to Tom Beasley from Jeri Breazeal          |
| Exhibit No. 7  | April 24, 2000 Notice & Order                                       |
| Exhibit No. 8  | Cited Codes (10 pages)  |
| Exhibit No. 9  | Copies of pictures taken October 7, 1999 by Jeri Breazeal           |
| Exhibit No. 10 | Copy of pictures taken September 18, 2000 by Sheryl Lux/DDES        |
| Exhibit No. 11 | Handwritten Basic Outline submitted by Tom Beasley                  |

SLS:sje  
Code enf/E9901349 RPT